

COUNTRY FACTSHEET: HUNGARY 2012

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Hungary during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

In 2012, the Ministry of Interior started the preparation process of the National Migration Strategy; its adoption is expected by September 2013.

2.1. PROMOTING LEGAL MIGRATION CHANNELS

Detailed information on admission and right of residence of third-country nationals can be found on the government website¹, the websites of the Hungarian embassies, the Ministry of Foreign Affairs and the Office of Immigration and Nationality (OIN)². The project "**Information and e-learning services**" was launched with the purpose to improve the provision of information on the routes and conditions of legal migration for employment purposes of third-country nationals.

2.2. ECONOMIC MIGRATION

During the reference period, the process of issuing work permits was simplified through the elimination of administrative burdens and the introduction of the so-called "**Single Window Procedure**". The latter allows an employer to simultaneously notify the authorities of a specific labour demand as well as to submit a work permit application for a third-country national.

In 2011, Hungary introduced the **EU Blue Card system** for highly-skilled third-country nationals. In order to fully comply with the EU Blue Card Directive, in 2012 further modifications were made through a Government Decree concerning provisions on intra-EU

mobility of EU Blue Card holders³. Hungary introduced also a **residence permit for high net worth investors** who acquire certain amount of government bonds. Due to the significant worldwide competition in the area of high net worth investors, Hungary has also decided to offer a preferential legal migration channel for third-country nationals who are able to invest at least a sum of 250,000 EUR in certain government bonds. Following legislation provisions which entered into force on 28th December 2012, high net worth investors are first issued with a residence permit under "other" purpose, subsequently after six months they are able to apply for a national long-term residence permit.

Bilateral agreements concerning legal migration were established with third countries in the sphere of Working Holiday Programmes. Hungary concluded a **Working Holiday Scheme (WHS) Agreement** with New Zealand in 2011, although its fulfilment required several legal modifications (the agreement entered into force in 2013). Hungary also completed negotiations on a WHS Agreement with the Republic of Korea; its ratification took place in 2013 (July 2013). Within the Prague Process Targeted Initiative the **Joint Kick-off Workshop of Pilot Project 2 "Legal Migration" led by Hungary and Pilot Project 3 "Migration and Development"** was held in Budapest in September 2012. The workshop gathered representatives of fifteen countries as well as representatives of the International Organization for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and the University of Sussex.

2.3. FAMILY REUNIFICATION

The Hungarian Decree on the Authorisation of the Employment of third-country nationals⁴ transposed the EU Blue Card Directive provisions regarding the

¹ Source: www.kormany.hu.

² Source: www.bmbah.hu.

³ Government Decree 81/2012 (IV. 18).

⁴ Decree 44/2011. (XII. 16.) of the Ministry of National Economy.

employment of family members. The specific provisions came into force at the end of 2011.⁵ According to the Decree, work permits for family members of EU Blue Card holders can be issued without having to apply a labour market test.

2.4. INTEGRATION

Several integration projects were implemented under the funding of the European Integration Fund (EIF). For example, the project of the Tudomány Nyelviskola **language school "How to find your way in Hungary?"** provided **practical training**, instruction and hands-on courses to third country nationals to facilitate their integration into society and the labour market. The project aimed to overcome the problems of low communicative competence in Hungarian language, unfamiliarity with official procedures, lack of competencies to entering the labour market and difficulties in bridging the cultural gap. Also, the project **"Vocational Training for refugees 2"**, aiming at **facilitating labour market access** and implemented by the Office of Immigration and Nationality, aims at involving refugees/beneficiaries of subsidiary protection into specialised vocational training and integrated language training. With regard to **integration at local level**, the project **"Budapest Migration Roundtable"** set up a consultative forum, and thus established an effective network of key stakeholders, in order to trigger the municipalities' activities in this field and to stimulate the local administration's work on the field of migration. Given that **intercultural communication** is a separate activity which requires the migrants' participation in the programmes, the project **Migrant Perspectives News Agency** was implemented. The project aims at functioning as a credible and authentic press agency, specialised in migration and integration topics, with the participation of journalists of migrant background.

2.5 MANAGING MIGRATION AND MOBILITY⁶

Regarding border control, Hungary concluded **bilateral agreements with Serbia and Ukraine** on road, railway and water traffic border control. Also, **joint border police actions and operations** were carried out on the Austrian, Serbian and Ukrainian borders of Hungary with the countries' relevant authorities. Hungary also ratified the **Police Cooperation Convention for Southeast Europe** and joined other countries in the region in order to further strengthen the regional community and cooperation in Southeast Europe security. After the establishment of the Hungarian National Coordination Centre in 2011,

⁵ Decree 44/2011. (XII. 16.) of the Ministry of National Economy

⁶ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

Hungary joined the European Border Surveillance System (EUROSUR) pilot project in 2012 and it has been constantly uploading data into the system.

3. International Protection and Asylum

In order to fully comply with the EU acquis on Asylum, **Directive 2011/51/EU** was transposed in 2012. During the same year, **legislative changes on asylum issues aimed to improve the efficiency of asylum procedures** with the respect of human rights. The main changes concerned the clarification of the safe country of origin concept, introducing a compulsory report of the personal interview, enhancing better cooperation with the immigration authorities of Member States, as well as new rules for the discontinuation of the preliminary assessment procedure/detailed examination procedure. Also, on 10 December 2012, the **Supreme Court of Hungary** (Kúria) issued an official opinion in order to promote a harmonised practice at Hungarian courts regarding the application of the safe third country concept in asylum cases. The guidance document provided by the Supreme Court was a response to the issue that different Hungarian regional courts applied different approaches upon reviewing administrative decisions, which deny admission to the in-merit asylum procedure based on the fact that the asylum-seeker arrived in Hungary from a safe third country.

In 2012, within the framework of the European Asylum Curriculum (EAC), three asylum experts participated in a one-week long training held in Malta. Experiences gathered during the training have been shared with other Office of Immigration and Nationality (OIN) experts.

With regard to **resettlement**, in 2012, the Hungarian asylum authority made its first resettlement program from Ukraine.

4. Unaccompanied Minors and other Vulnerable Groups

The **provision of adequate accommodation of non-asylum seeker unaccompanied minors (UAMs)** is an important task planned in the future. The main concept is to establish an institute at the Southern borders of Hungary, where non-asylum seeker UAMs can be quickly transported. Services such as access to psychological treatment and training of the personnel would be financed partly through EU funds. Furthermore, an **age assessment protocol** is currently under preparation. The main objective of the protocol is to determine the age of the minor (with a maximum of one-two years of margin of error) thus it will precisely define the content of the age assessment procedure and it will also designate the competent medical experts to conduct such procedure. The protocol would also make possible to challenge the

expert opinion on the age of the minor during the review procedure. The adoption of the protocol is expected in 2013. Throughout the elaboration of the protocol, attention would be paid to the on-going work in the framework of European Asylum Support Office (EASO) aiming at establishing a handbook on age assessment.

5. Actions against Trafficking in Human Beings

The **New Penal Code** (Act No. C of 2012), adopted by the Hungarian Parliament in 2012, harmonised the **criminal offence of trafficking in human beings** in accordance with Directive 2011/36/EU⁷ and included the legal provision of the 2000 Palermo Protocol. The new Criminal Code's statutory definition of trafficking in human beings is complemented with other offences and provisions for the protection of children. Abuse of forced labour has also a separate statutory definition.

The National Strategy against Trafficking in Human Beings (2008-2012) concluded in 2012, therefore the elaboration of a new strategy began in the framework of a large scale project with the involvement of all concerned stakeholders. The strategy is expected to be accepted in summer of 2013.

6. External Dimension of EU Migration Policy

Hungary has been actively participating in the **Prague Process**. The Prague Process Action Plan⁸ implementation began in August 2012 as the Prague Process Targeted Initiative. The principal aim is to help countries of origin, transit and destination, already taking part in the cooperation, to improve migration management and to facilitate building migration partnerships through exchange of good practices. The Action Plan also sets down a number of strategic priorities. Hungary has taken the leading state role of the **second Pilot Project of the Prague Process Targeted Initiative**. The latter focuses on legal migration, while the other three pilot projects focus on illegal migration, international protection and migration and development.

Since 2004, Hungary has continuously participated in the **Söderköping Process**, now incorporated in the Eastern Partnership **as EaP Panel on Migration and Asylum**. The latter's objective is to facilitate cross-border cooperation between new EU Member States and the Western NIS (Belarus, Moldova and Ukraine) on asylum, migration and border management issues. Hungary is also member of the Regional Cooperation Platform for the Black Sea Region and regularly

⁷ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims

⁸ The plan was adopted in November 2011 in Poznan, Poland

participates and takes active part at the meetings of the Global Forum on Migration and Development.

7. Irregular Migration

Hungary has been experiencing an **increased illegal migration pressure from Greece and the Western Balkans** since August 2011. In particular, the **Hungarian-Serbian border** has been **highly affected** with 7 824 cases of illegal migration detected at such border, representing an increase of 41% when compared to 2011, as well as a high number of smuggled persons. As a result, Hungary asked Frontex and Europol for their support on this particular border. Frontex provided technical equipment and additional staff for a joint operation in focal point offices along the Hungarian-Serbian border, while Europol offered its support in the field of analysis. To this end, Europol launched a project to gather and analyse data on smuggling along the Balkan route (FIMATHU= Facilitation-Illegal-Migration-effected-Austria-Hungary). In addition, between 2 January 2012 and 13 October 2012, Hungary seconded 21 border police officers to strengthen the Greek-Turkish border.

Regarding **return flights**, there has been an issue with **lack of resources**, since the usual destinations cannot be reached by direct flights, partly due to the early 2012 closure of the MALÉV Hungarian Airlines.

8. Provision and Exchange of Information to support Policy Development

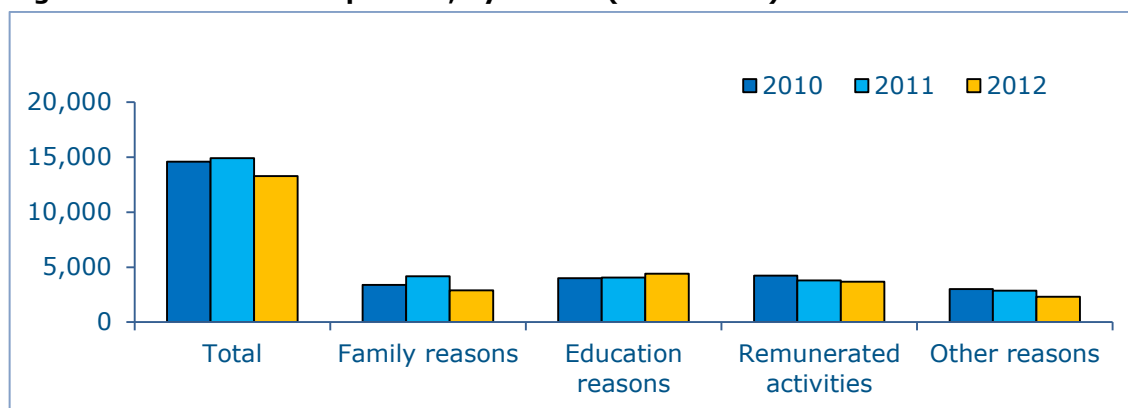
Hungary is part and initiator of **several multilateral processes providing fora to migration and development policy**. Hungary is the co-chair of the Budapest Process which is a consultative forum of 50 countries and associated organisations involving both EU Member States and countries from the region neighbouring EU in the East and South-East aiming at exchanging information and experiences on legal and illegal migration, asylum, return, readmission, visa, trafficking in human beings, smuggling of migrants and border management issues.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Hungary on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in Hungary (2010-2012)

Figure 1: First residence permits, by reason (2010-2012)



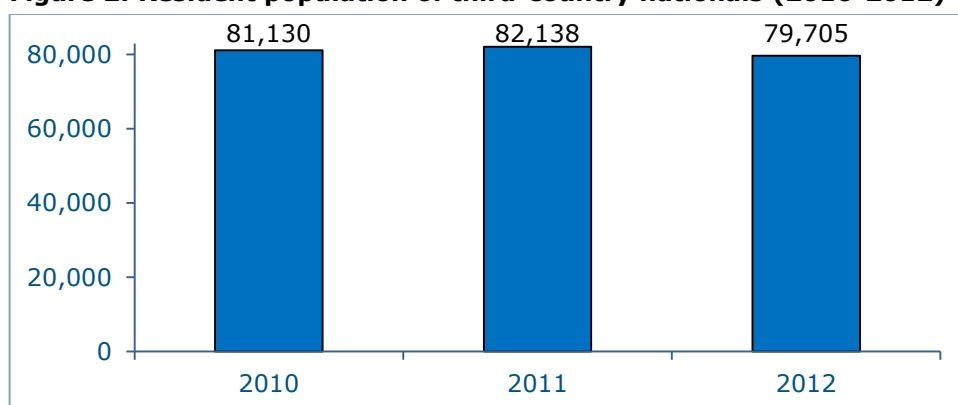
Source: Eurostat migration statistics (migr_resfirst)

Table 1: First residence permits: Top 5 nationalities (2010 – 2012)

2010	2011	2012
1. Ukraine – 2,681	1. Ukraine – 2,014	1. China – 1,507
2. China – 1,492	2. China – 1,792	2. United States – 1,399
3. United States – 1,492	3. United States – 1,439	3. Ukraine – 1,119
4. Serbia – 1,226	4. Serbia – 1,075	4. Turkey – 957
5. Turkey – 746	5. Turkey – 890	5. Serbia – 747

Source: Eurostat migration statistics (migr_resfirst)

Figure 2: Resident population of third-country nationals (2010-2012)



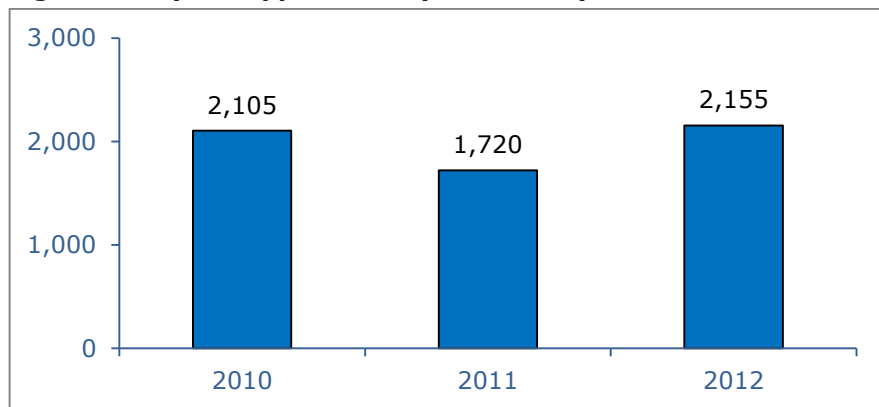
Source: Eurostat migration statistics (migr_pop1ctz)

Table 2: Resident population: Top 5 nationalities (2010 -2012)

2010	2011	2012
1. Ukraine – 17,246	1. Ukraine – 16,542	1. Ukraine - 15,371
2. China – 11,187	2. China – 11,832	2. China – 12, 074
3. Serbia – 10,172	3. Serbia – 9,676	3. Serbia – 8,388
4. Russia – 3,290	4. Russia – 3,498	4. Russia – 3,756
5. United Kingdom – 3,089	5. United States – 3,266	5. United States – 3,384

Source: Eurostat migration statistics (migr_pop1ctz)

Figure 3: Asylum applications (2010-2012)



Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications: Top 5 nationalities (2010 - 2012)

2010	2011	2012
1. Afghanistan – 700	1. Afghanistan – 660	1. Afghanistan – 880
2. Kosovo – 380	2. Kosovo – 210	2. Pakistan – 325
3. Palestine – 225	3. Pakistan – 120	3. Kosovo – 225
4. Georgia – 70	4. Syria – 90	4. Syria – 145
5. Serbia – 65	5. Somalia – 60	5. Somalia – 70

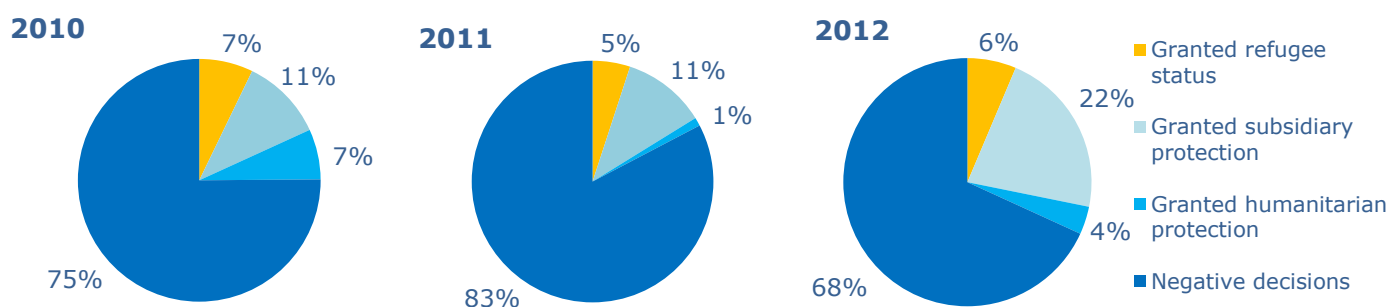
Source: Eurostat migration statistics (migr_asyappctza)

Table 4: Asylum applications - First instance decisions by outcome (2010-2012)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	1,040	260	75	115	70	785
2011	895	155	45	100	10	740
2012	1,100	350	70	240	40	750

Source: Eurostat migration statistics (migr_asydcfsta)

Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)

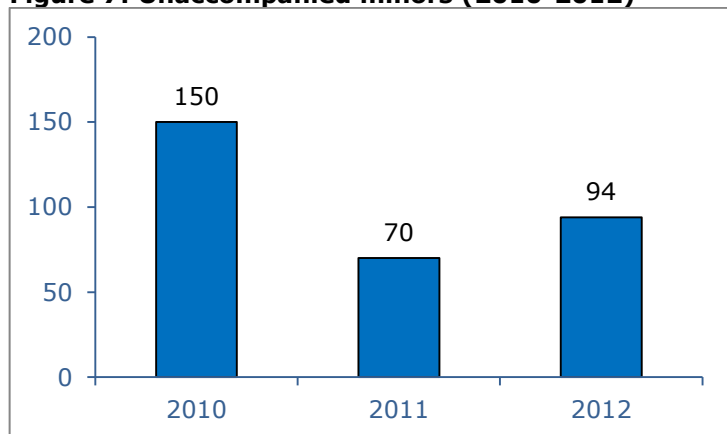


Source: Eurostat migration statistics (migr_asydcfsta)

Table 5: Third-country nationals relocated and resettled (2011-2012)

	2010	2011	2012
Third-country nationals relocated	N/A	0	0
Third-country nationals resettled	N/A	0	0

Source: Eurostat migration statistics (migr_asyresa)

Figure 7: Unaccompanied minors (2010-2012)

Source: National contributions to EMN Annual Policy Report

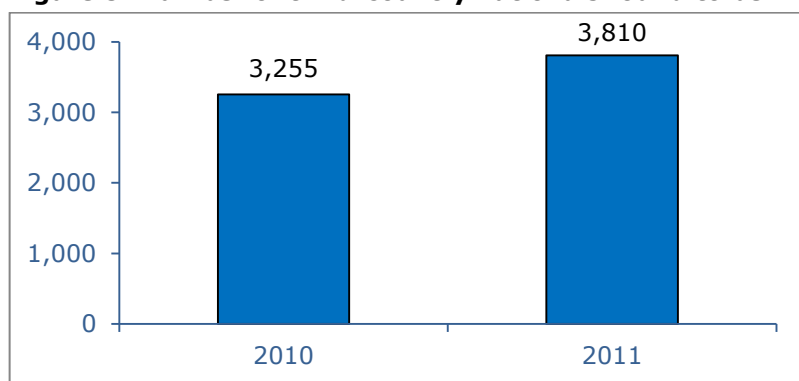
Table 6: Unaccompanied minors (2010-2012)

	2010	2011	2012
Unaccompanied minors (total)	150	70	94
Unaccompanied minors not applying for asylum	N/A	N/A	N/A
Unaccompanied minor asylum applicants	150	60	185

Table 7: Number of third-country nationals refused entry at external borders (2010 – 2012)

	2010	2011	2012
Third-country nationals refused entry at external borders	10,475	11,790	9,240

Source: Eurostat migration statistics (migr_eirfs)

Figure 8: Number of third-country nationals found to be illegally present (2010 – 2011)

Source: Eurostat migration statistics (migr_eipre)

Table 8: Third-country nationals returned (2010-2012)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme*
2010	5,515	2,019	426	432
2011	6,935	890	410	365
2012	7,450	1,011	N/A	414

Source: Eurostat migration statistics (migr_eiord); National contributions to EMN Annual Policy Report and:

* Information provided by EMN NCP

Table 9: Number of visas issued by type (2010 – 2012)

	2010	2011	2012
Schengen visa (short-stay visas)*	242,688	278,018	315,490
National visa	N/A	6,790	5,971

Source: Commission Staff Working Documents on the Annual Report on Immigration and Asylum; *DG HOME Statistics on Visa Policy website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm